

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
EASTERN DIVISION**

KAWIN REESE

PLAINTIFF

VS.

CAUSE NO. 1:06CV126-SA-JAD

**DEPUTIES CHRISTOPHER DALE GRAY, RONALD
WEST AND MDOC AGENTS RANDY PERKINS AND
CHRISTOPHER RIEVES**

DEFENDANTS

**ORDER DENYING
MOTION IN LIMINE**

Presently before the Court is Plaintiff Kawin Reese's Motion in Limine [82]. The Court finds as follows:

Plaintiff contends that in his deposition he was questioned at length about him having four children with four different women. Plaintiff asserts that this information is not relevant pursuant to Federal Rule of Evidence 401, and thus, inadmissible under Federal Rule of Evidence 402. Plaintiff further argues that even if the information is relevant, this evidence should be excluded as more prejudicial than probative. Fed. R. Evid. 403.

Defendants Gray and West respond that this evidence is relevant to damages. According to Defendants, Plaintiff testified he was hurt because the girlfriend he was with when his trailer was searched broke up with him. Defendants claims that "[w]hatever anxiety or other damages Plaintiff may have had due to his girlfriend breaking up with him are more fully responded to by his own answer that he immediately went back to a relationship with one of the women who is the mother of one of his children." Defendants also argue that this motion is premature and should be addressed during trial.

The Court concludes that Plaintiff's Motion in Limine [82] is premature and denies it without prejudice to renew it at trial if Plaintiff deems appropriate.

SO ORDERED, this the 12th day of May, 2010.

/s/ Sharion Aycock
UNITED STATES DISTRICT JUDGE